

**9/15/05 Meeting Notes – Landfill Stability Workgroup**  
**Raptor Conference Room – South Central Region Headquarters**

website: <http://dnr.wi.gov/org/aw/wm/solid/landfill/stability/index.htm>

**Attending:** Sherren Clark (BT<sup>2</sup>), Bob Ham (UW-Madison), Gerard Hamblin (WMWI), Gene Mitchell (DNR), John Reindl (Dane County), Joe Van Rossum (UW-Extension/SHWEC), Todd Watermolen (Onyx), Brad Wolbert (DNR)

- I. Rule Language: The group reviewed the preliminary draft rule and suggested several changes:
- The definition of “closure” was tied to the statutory definition of “closing” which means not only ceasing disposal but also actions taken to prepare the facility for long-term care, such as capping.
  - The timeframe in (c)6. could range from 25 years to 40 years: average remaining lifetime is 35 years, “generation” more like 30 years, long-term-care proof period is 40 years. The group did not resolve this issue.
  - In (c)4., the language was adjusted to account for the possibility that as a facility’s gas production diminished, an operator would remove the vents and pipes and replace them with a soil cover designed to absorb gas emissions.
  - The group recognizes the leachate goal does not deal with ammonia. Also, wording adjusted to reflect that leachate would have to be released to cause a groundwater enforcement standard exceedance.
  - Sherren Clark agreed to research an appropriate number to use to establish minimal gas production for landfills relying on diversion of organics and for which 1 % of maximum gas production would be overly restrictive.

DNR will make the changes discussed and send the revised preliminary draft to workgroup members as well as to staff and stakeholders.

- II. Financial Responsibility: The group reviewed a draft version of potential code language to be inserted in NR 520 as a placeholder, that would link organic stability to a possible reduction in the amount of financial responsibility proof needed by a facility.
- III. Cover Materials for Distribution of Preliminary Draft Rule: The group discussed concepts for explanatory materials to accompany the distribution of the preliminary draft rule to staff and external stakeholders. This material would also be placed on the website at the same time. Materials would include the rule draft, a cover memo that would include the problem statement, the strategies table, and information about the rulemaking schedule.

The group also discussed and agreed on the need for a TAC meeting as a way of providing interested parties with a formal opportunity for comment. The group feels the issues are significant enough to justify a meeting. A separate meeting would also be held for DNR staff.

- IV. EMS Principles: The group spent the remainder of the meeting reviewing the preliminary rule draft and underlying approach against the 14 principles developed as part of the Waste

and Materials Management Program's environmental management system (EMS) for policy development. These are available at the following website:

<http://dnr-temp.state.wi.us/ems/workgroups/waste/Documents/wastepolicyprinc.html>.

The group concluded that the draft rule is demonstrably consistent with 12 of the principles. Regarding the remaining two, it could be argued that although the draft rule does not really "optimize the cycle of materials use, recovery and reuse," it would stimulate progress toward this end (#6), and although it is not clear how the concept of personal responsibility for actions relates to the draft rule, it would encourage acceptance of responsibility for one's actions by corporations and municipalities that own and operate landfills (#10).

- V. Next Meeting: The next meeting of the group will be held prior to and in conjunction with a TAC meeting on Tuesday, October 18, 2005. The workgroup will meet at 1:00, and the TAC meeting will begin at 2:00. The following meeting will be in the DNR's SCR Raptor Room at 1:00 on Tuesday, November 15, 2005.